

**United States District Court  
Western District of Michigan (Southern Division (1))  
CRIMINAL DOCKET FOR CASE #: 1:21-mj-00004-PJG-1**

Case title: USA v. Drain

Date Filed: 01/08/2021

Other court case number: 1:17-cr-00576-4 Northern District  
of Illinois

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Assigned to: Magistrate Judge  
Phillip J. Green

**defendant (1)**

**Dalrick Drain**

represented by **Helen C. Nieuwenhuis**  
Federal Public Defender (Grand Rapids)  
50 Louis St. NW, Ste. 300  
Grand Rapids, MI 49503-2633  
(616) 742-7420  
Email: [helen\\_nieuwenhuis@fd.org](mailto:helen_nieuwenhuis@fd.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Public Defender or Community  
Defender Appointment*

**Pending Counts**

None

**Disposition**

**Highest Offense Level  
(Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level  
(Terminated)**

None

**Complaints**

1:1RF.Felony Proceedings

**Disposition**

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**Plaintiff**

**USA**

represented by

**Nils R. Kessler**

U.S. Attorney (Grand Rapids)

The Law Bldg.

330 Ionia Ave., NW

P.O. Box 208

Grand Rapids, MI 49501-0208

(616) 456-2404

Email: [Nils.Kessler@usdoj.gov](mailto:Nils.Kessler@usdoj.gov)**LEAD ATTORNEY****ATTORNEY TO BE NOTICED***Designation: Assistant U.S. Attorney*

Date Filed	#	Page	Docket Text
01/08/2021	<u>1</u>		MINUTES held before Magistrate Judge Phillip J. Green of FIRST APPEARANCE in Rule 5 proceedings for defendant Dalrick Drain ; appearance entered by Helen C. Nieuwenhuis for Dalrick Drain on behalf of defendant; Defendant's request for court-appointed counsel was granted; Defendant waived all hearings and remanded to USM custody and bound over to Northern Illinois (Proceedings Digitally Recorded) (ald) (Entered: 01/08/2021)
01/08/2021			(NON-DOCUMENT) ORDER APPOINTING FEDERAL PUBLIC DEFENDER as counsel for defendant Dalrick Drain ; signed by Magistrate Judge Phillip J. Green (ald) (Entered: 01/08/2021)
01/08/2021	<u>2</u>		WAIVER of Rule 32.1 hearings by Dalrick Drain (ald) (Entered: 01/08/2021)
01/08/2021	<u>3</u>		COMMITMENT TO ANOTHER DISTRICT: defendant Dalrick Drain committed to Northern District of Illinois ; signed by Magistrate Judge Phillip J. Green (ald) (Entered: 01/08/2021)

**UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF MICHIGAN  
CRIMINAL MINUTE SHEET**

<b>USA v.</b> Dalrick Drain	<b>Mag. Judge:</b> Phillip J. Green
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CASE NUMBER	DATE	TIME (begin/end)	PLACE	INTERPRETER
1:21-mj-00004-PJG	1/8/2021	3:31 - 3:34PM	Grand Rapids	

**APPEARANCES:**

Government: Nils R. Kessler	Defendant: Helen Nieuwenhuis	Counsel Designation: FPD Appointment
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OFFENSE LEVEL	CHARGING DOCUMENT/COUNTS	CHARGING DOCUMENT
Felony	Out-of-District Warrant	Read <input checked="" type="checkbox"/> Reading Waived <input type="checkbox"/>

TYPE OF HEARING	DOCUMENTS	CHANGE OF PLEA
<input checked="" type="checkbox"/> First Appearance <input type="checkbox"/> Arraignment: <input type="checkbox"/> mute <input type="checkbox"/> nolo contendere <input type="checkbox"/> not guilty <input type="checkbox"/> guilty <input type="checkbox"/> Initial Pretrial Conference <input type="checkbox"/> Detention (waived <input type="checkbox"/> ) <input type="checkbox"/> Preliminary (waived <input type="checkbox"/> ) <input checked="" type="checkbox"/> Rule 5 Proceeding <input type="checkbox"/> Revocation/SRV/PV <input type="checkbox"/> Bond Violation <input type="checkbox"/> Change of Plea <input type="checkbox"/> Sentencing <input type="checkbox"/> Other: _____	<input type="checkbox"/> Defendant's Rights <input checked="" type="checkbox"/> Waiver of Rule 32.1 Hearings <input type="checkbox"/> Consent to Mag. Judge for _____ <input type="checkbox"/> Other: _____  Court to Issue: <input type="checkbox"/> Report & Recommendation <input type="checkbox"/> Order of Detention <input type="checkbox"/> Order to file IPTC Statements <input type="checkbox"/> Bindover Order <input checked="" type="checkbox"/> Order Appointing Counsel <input checked="" type="checkbox"/> Other: _____ Commitment _____	Guilty Plea to Count(s) _____ of the _____ Count(s) to be dismissed at sentencing: _____ Presentence Report: <input type="checkbox"/> Ordered <input type="checkbox"/> Waived <input type="checkbox"/> Plea Accepted by the Court <input type="checkbox"/> No Written Plea Agreement  <b>EXPEDITED RESOLUTION</b> <input type="checkbox"/> Case appears appropriate for expedited resolution

ADDITIONAL INFORMATION	SENTENCING
	Imprisonment: _____ Probation: _____ Supervised Release: _____ Fine: \$ _____ Restitution: \$ _____ Special Assessment: \$ _____ Plea Agreement Accepted: <input type="checkbox"/> Yes <input type="checkbox"/> No Defendant informed of right to appeal: <input type="checkbox"/> Yes <input type="checkbox"/> No Counsel informed of obligation to file appeal: <input type="checkbox"/> Yes <input type="checkbox"/> No

CUSTODY/RELEASE STATUS	BOND AMOUNT AND TYPE
Remanded to USM	\$ _____
<b>CASE TO BE:</b> Set for hearing in charging district	<b>TYPE OF HEARING:</b> Further Proceedings
<b>Reporter/Recorder:</b> Digitally Recorded	<b>Courtroom Deputy:</b> A. Doezenia

MIME-Version:1.0  
From:ecfhelp@miwd.uscourts.gov  
To:ecfadmin@miwd.uscourts.gov  
Bcc:  
--Case Participants: Helen C. Nieuwenhuis (ecfpsi\_miw@fd.org, helen\_nieuwenhuis@fd.org, michele\_holstege@fd.org), Nils R. Kessler (caseview.ecf@usdoj.gov, kristina.zelasko@usdoj.gov, nils.kessler@usdoj.gov, usamiw.ecfcriminal@usdoj.gov), Magistrate Judge Phillip J. Green (angie\_doezema@miwd.uscourts.gov, jessicawright@miwd.uscourts.gov, phillip\_green@miwd.uscourts.gov, russ\_ambrose@miwd.uscourts.gov)  
--Non Case Participants: Federal Public Defender (ecfpsi\_miw@fd.org, karen\_jennings@fd.org, melissa\_rabidoux@fd.org, sonja\_cubillo@fd.org)  
--No Notice Sent:  
  
Message-Id:5504634@miwd.uscourts.gov  
Subject:Order Appointing Public Defender in 1:21-mj-00004-PJG USA v. Drain  
Content-Type: text/html

**United States District Court**

**Western District of Michigan**

**Notice of Electronic Filing**

The following transaction was entered on 1/8/2021 at 3:53 PM EST and filed on 1/8/2021

**Case Name:** USA v. Drain

**Case Number:** 1:21-mj-00004-PJG

**Filer:**

**Document Number:** No document attached

**Docket Text:**

**(NON-DOCUMENT) ORDER APPOINTING FEDERAL PUBLIC DEFENDER as counsel for defendant Dalrick Drain ; signed by Magistrate Judge Phillip J. Green (ald)**

**1:21-mj-00004-PJG-1 Notice has been electronically mailed to the following attorneys, and no further service upon them is required if the document has been electronically filed:**

Helen C. Nieuwenhuis &nbsp; &nbsp; helen\_nieuwenhuis@fd.org, ecfpsi\_miw@fd.org, michele\_holstege@fd.org

Nils R. Kessler &nbsp; &nbsp; Nils.Kessler@usdoj.gov, CaseView.ECF@usdoj.gov, kristina.zelasko@usdoj.gov, usamiw.ecfcriminal@usdoj.gov

**1:21-mj-00004-PJG-1 Notice has NOT been electronically mailed to:**

## UNITED STATES DISTRICT COURT

for the

Western District of Michigan

United States of America

v.

Dalrick Drain

*Defendant*

Case No. 1:21-mj-0004

Charging District's Case No. 1:17-cr-576-4

**WAIVER OF RULE 32.1 HEARING  
(Violation of Probation or Supervised Release)**

I understand that I have been charged with violating the conditions of probation or supervised release in a case pending in another district, the *(name of other court)* Northern District of Illinois.

I have been informed of the charges and of my rights to:

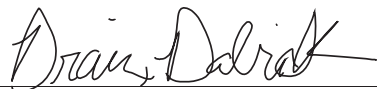
- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of certified copies of the judgment, warrant, and warrant application, or reliable electronic copies of them if the violation is alleged to have occurred in another district;
- (4) a preliminary hearing to determine whether there is probable cause to believe a violation occurred if I will be held in custody, and my right to have this hearing in this district if the violation is alleged to have occurred in this district; and
- (5) a hearing on the government's motion for my detention in which I have the burden to establish my eligibility for release from custody.

I agree to waive my right(s) to:

- ☐ an identity hearing and production of the judgment, warrant, and warrant application.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☒ an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 01/08/2021



*Defendant's signature*



*Signature of defendant's attorney*

Helen C. Nieuwenhuis

*Printed name of defendant's attorney*

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:21-mj-4

vs.

Charging District's  
Case No. 1:17-cr-00576-4

DALRICK DRAIN,

Defendant.

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**COMMITMENT TO ANOTHER DISTRICT**

The defendant has been ordered to appear in the Northern District of Illinois.

The defendant is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

**IT IS ORDERED:** The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

Dated: January 8, 2021

/s/ Phillip J. Green  
PHILLIP J. GREEN  
U.S. Magistrate Judge